

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
(Rural Development)  
Plaintiff

v.

ROMUALDO CASTRO GARCIA, CRUZ MARIA  
NIVES DEL RIO and the conjugal  
partnership constituted by both  
Defendants

CIVIL NO. 96-2404 (JAF)

FORECLOSURE OF MORTGAGE

**NEW WRIT OF EXECUTION OF JUDGMENT**

TO THE MARSHAL OF THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

GREETINGS:

WHEREAS, the Honorable José Antonio Fusté, United  
States District Judge, has issued an order in this case dated  
November 13, 2001 which copied literally, reads as follows:

**ORDER FOR EXECUTION OF JUDGMENT**

Upon motion filed by plaintiff herein, and it appearing from  
the records of this Court in the above mentioned case that the  
defendant referred to in the judgment entered by this Court was  
duly summoned and said defendant has failed to pay to the plaintiff  
the sums of money adjudged to be paid under said judgment:

And it appearing further that more than ten (10) days have  
elapsed from the entry of Judgment:

NOW, THEREFORE, the Court hereby orders the United States  
Marshal for this District to proceed forthwith and to sell at  
public auction to the highest bidder, the property referred to in  
said judgment and described herein below in the manner and form  
provided in said judgment and as herein further provided:

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URBANA: Solar marcado con el número veintitres del bloque "C" en el Plano de Inscripción de la Urbanización Ext. San Ramón, situada en el barrio Pueblo del Municipio de Hatillo, Puerto Rico, con una cabida superficial de TRESCIENTOS SEIS PUNTO DOS CINCO METROS CUADRADOS (306.25 m.c.) y el lindes: por el Norte, en veinticuatro punto cinco cero metros con el solar número veintidos del bloque "C"; por el Sur, en veinticuatro punto cinco cero metros con el solar número veinticuatro del bloque "C"; por el Este, en doce punto cinco cero metros con la Calle Número Once y por el Oeste en doce punto cinco cero metros con el solar número dos del bloque "C".

Enclava una estructura dedicada a vivienda constituida de hormigón armado y bloques de hormigón.

Plaintiff's mortgage for the amount of \$27,620.00 was recorded at page 35, volume 178 of Hatillo, property number 9,328 2<sup>nd</sup> Inscription, at the Registry of the Property of Arecibo II, Puerto Rico.

Plaintiff's mortgage for the amount of \$10,000.00 was recorded at page 36<sup>rs</sup>, volume 178 of Hatillo, property number 9,328 3<sup>rd</sup> Inscription, at the Registry of the Property of Arecibo II, Puerto Rico.

a) Said public sale shall be had at the office of the Marshal for Superior Court of Puerto Rico, Arecibo Part, in accordance with 28 U.S.C. 2001.

b) Notice of Sale shall be published once a week for at least four (4) weeks prior to the sale in at least one newspaper of general circulation in accordance with 28 U.S.C. 2002.

c) The amount of \$27,620.00 for the first mortgage and \$10,000.00 for the second mortgage shall serve as the minimum bid for the first public sale. Should the first public sale fail to procure an award or adjudication, two-thirds of the aforementioned amount shall serve as the minimum bid for the second sale. Should there be no award or adjudication at the second public sale, the basis for the third sale shall be one-half of the amount specified as the minimum bid for the first public sale. Should there be no

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award or adjudication in this public sale the same may be awarded to the creditor for the entire amount of the debt if this is equal to or less than the amount of the minimum bid of the third auction, and crediting this amount to the amount owed if it is more.

d) The United States Marshal shall not accept in payment of the property to be sold anything but United States currency or certified checks in his name, except in case the property is sold and adjudicated to the plaintiff, in which case the amount of the bid made by said plaintiff shall be credited and deducted from its credit; said plaintiff being bound to pay in cash or certified check only any excess of its bid over the secured indebtedness when remaining unsatisfied.

e) All junior lienholders shall pay in cash or in certified check the total amount of previous liens, and any sum in excess of said previous liens shall be credited to their respective liens.

f) The United States Marshal may, either personally or by some person designated by him to act in his name and his authority, adjourn the sale from time to time, without further publication, but only by order of this Court.

g) Upon the confirmation of said sale by this Court the United States Marshal shall execute and deliver a deed of conveyance of the property sold to the purchaser thereof.

h) The purchaser shall be entitled to the delivery of the property sold and its physical possession and the United States Marshal may deliver said possession through the eviction of the occupant of the property without the need of any further order, in accordance with law.

i) The Property Registrar of the corresponding Property Registry of Puerto Rico shall proceed to the recording of the judicial sale deed in favor of the purchaser, free of any liens subsequent to the date of the execution of the foreclosed mortgage.

SO ORDERED in San Juan, Puerto Rico, this 13<sup>th</sup> day of November, 2001.

S/ José Antonio Fusté  
JOSE ANTONIO FUSTE  
UNITED STATES DISTRICT JUDGE

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THEREFORE, you as said Marshal of the United States District Court for the District of Puerto Rico are hereby ordered to proceed by virtue of this Writ of Execution and in compliance with the order copied above, according to law, in order to execute the judgment entered in this case against the defendant.

In San Juan, Puerto Rico, this            day of            , 2005.

FRANCES RIOS DE MORAN, Clerk  
United States District Court  
For The District of Puerto Rico

By: \_\_\_\_\_  
Deputy Clerk